

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JIMMY L. TURNER

PLAINTIFF

v.

No. 4:06CV201-M-B

EUGENE M. BOGEN, ET AL.

DEFENDANTS

MEMORANDUM OPINION

This matter is before the court, *sua sponte*, for consideration of dismissal. The plaintiff lists as defendants approximately fifty-six government officials, ranging from the Governor of Mississippi to various prison officials to four of the judicial officers of this court. The plaintiff alleges a vast conspiracy among the numerous defendants to place him in housing with mentally ill inmates and gang members, as well as to violate Mississippi Department of Corrections policies and procedures. The plaintiff filed a nearly identical pleading in *Turner v. Barbour*, 4:06CV108-M-B. Indeed, large portions of the instant complaint appear to be photocopied from the plaintiff's complaint in *Turner v. Barbour*, which the Magistrate Judge has recommended to be dismissed for failure to state a claim upon which relief could be granted. The court has carefully considered the contents of the *pro se* complaint and giving it the liberal construction required by *Haines v. Kerner*, 404 U.S. 519 (1972).

The instant complaint contains virtually no facts regarding how the individual defendants harmed the plaintiff – and no information about how the defendants are connected to whatever harm the plaintiff thinks he has suffered. Judges have “the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly

baseless . . . Examples . . . are claims describing fantastic or delusional scenarios, claims with which federal district judges are all to familiar.” *Neitzke v. Williams*, 490 U.S. 319, 327-328. The plaintiff’s allegations that the defendants are enmeshed in a vast conspiracy against him are examples of such “fantastic or delusional scenarios.” As such, the instant case shall be dismissed for failure to state a claim upon which relief could be granted. A final judgment in accordance with this opinion will be entered today.

THIS the 6th day of February, 2007.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE